

IN THE CLAIMS

Please amend the claims as indicated in the below listing of the claims:

1. (Currently Amended) A sink basket and plug assembly comprising:
 - (i) a basket portion, said basket portion including a well having at least one fluid passageway extending therethrough; and,
 - (ii) a plug portion at least partially receivable within said well, said plug portion having an open and a closed position, when in said closed position said plug portion restricting the passage of fluids through said fluid passageway in said well, when in said open position said plug portion permitting the flow of fluid through said fluid passageway in said well,at least one of said basket portion and said plug portion including an indexing member and the other of said basket portion and said plug portion including an indexing receiver having a leading ramp on one side thereof and a trailing ramp on the other side thereof, said indexing member being releasably receivable within said indexing ~~receiver,~~ receiver such that when said indexing member is received within said indexing receiver said plug portion is retained in said open position, ~~movement of said plug portion from said open position to said closed position requiring the application of a lifting force to said plug portion to dislodge said indexing member from said indexing receiver~~ when in said closed position rotation of said plug portion causes said indexing member to engage said leading ramp and urge said indexing member into said indexing receiver.
2. (Original) The device as claimed in claim 1 wherein said basket portion includes a laterally extending flange positioned thereabout, said flange sealingly engaging the

surface of a sink when said basket portion is received within the drain of said sink.

3. (Original) The device as claimed in claim 2 wherein said flange includes a downwardly disposed sealing member that engages the surface of said sink and assists in preventing the flow of fluid between said flange and the surface of said sink.
4. (Original) The device as claimed in claim 1 wherein said plug portion includes at least one fluid passageway extending therethrough.
5. (Original) The device as claimed in claim 1 wherein said plug portion includes a plurality of fluid passageways extending therethrough, said plurality of fluid passageways comprising a strainer to at least partially strain particulate material from fluid flowing through said plurality of passageways.
6. (Original) The device as claimed in claim 1 wherein said indexing member comprises at least one outwardly extending tab positioned upon the surface of said plug portion.
7. (Original) The device as claimed in claim 1 wherein said indexing member comprises at least three outwardly extending tabs positioned upon the surface of said plug portion.
8. (Original) The device as claimed in claim 6 wherein said indexing receiver comprises at least one channel formed upon the surface of said basket portion, said channel having one enclosed end and dimensioned and configured so as to releasably receive said tab therein.
9. (Original) The device as claimed in claim 7 wherein said indexing receiver comprises at least three channels positioned upon the surface of said basket portion, said channels each having one enclosed end and dimensioned and configured so that each of said channels may releasably receive one of said tabs therein.
10. (Canceled)
11. (Canceled)

12. (Original) The device as claimed in claim 1 wherein said indexing member comprises at least one outwardly extending tab positioned upon the surface of said basket portion.
13. (Original) The device as claimed in claim 1 wherein said indexing member comprises at least three outwardly extending tabs positioned upon the surface of said basket portion.
14. (Original) The device as claimed in claim 12 wherein said indexing receiver comprises at least one channel formed upon the surface of said plug portion, said channel having one enclosed end and dimensioned and configured so as to releasably secure said tab therein.
15. (Original) The device as claimed in claim 13 wherein said indexing receiver comprises at least three channels positioned upon the surface of said plug portion, each of said channels having one enclosed end and dimensioned and configured so that each of said channels may releasably receive one of said tabs therein.
16. (Canceled)
17. (Canceled)
18. (Currently Amended) The device as claimed in claim 1 wherein said basket portion and said plug portion are formed from ~~a flexibly resilient rubber or plastic material~~ rubber, plastic or metal.
19. (Original) The device as claimed in claim 1 wherein said basket portion is configured and dimensioned to be receivable within the existing sink basket of a sink.
20. (Currently Amended) A sink basket and plug assembly comprising:
 - (i) a basket portion, said basket portion including a well having a side surface and a bottom, said bottom of said well having at least one fluid passageway extending therethrough, said side surface having formed thereon at least one indexing receiver in the form of a generally vertically oriented channel having an enclosed

lower end, said side surface of said well further including a leading and a trailing ramp positioned on opposite sides of said channel; and,

- (ii) a plug portion at least partially receivable within said well of said basket portion, said plug portion having an open and a closed position, when in said closed position said plug portion restricting the flow of fluids through said fluid passageway in said well, when in said open position said plug portion permitting the flow of fluids through said fluid passageway in said well, said plug portion including a side ~~wall~~ surface with at least one indexing member in the form of an outwardly extending tab, ~~when said plug portion received within said well of said basket portion said tab releasably receivable within said channel on said basket portion and maintaining said plug portion in said open position~~ when said plug portion is in said closed position and rotated said tab engages said leading ramp such that with continued rotation of said plug portion said engaged leading ramp urges said tab into said channel to place and maintain said plug portion in said open position.

21. (Original) The device as claimed in claim 20 wherein said basket portion includes at least three channels positioned about said side surface of said well and said plug portion includes at least three tabs positioned about said side surface of said plug portion, each of said channels having one enclosed end, said tabs alignable with said channels when said plug portion is releasably received within said well.
22. (Canceled)
23. (Canceled)
24. (Currently Amended) A sink basket and plug assembly comprising:

- (i) a basket portion, said basket portion including a well having a side surface and a bottom, said bottom of said well having at least one fluid passageway extending therethrough, said side surface including at least one indexing member in the form of an outwardly extending tab; and,
- (ii) a plug portion at least partially receivable within said well of said basket portion, said plug portion having an open and a closed position, when in said closed position said plug portion restricting the flow of fluids through said fluid passageway in said well, when in said open position said plug portion permitting the flow of fluids through said fluid passageway in said well, said plug portion including a side ~~well~~ surface having at least one indexing receiver in the form of a generally vertically oriented channel having an enclosed upper end, said side surface of said plug portion further including a leading and a trailing ramp positioned on opposite sides of said channel, ~~when said plug portion received within said well of said basket portion said tab releasably receivable within said channel on said plug portion to maintain said plug portion in said open position when said plug portion is in said closed position and rotated said leading ramp engages said tab such that with continued rotation of said plug portion said leading ramp causes said plug portion to be lifted until said channel is received over said tab with said plug portion maintained in said open position.~~

25. (Original) The device as claimed in claim 24 wherein said plug portion includes at least three channels positioned about its side surface and said basket portion includes at least three tabs positioned about said side surface of said well, said tabs alignable with said channels when said plug portion is releasably received within said well.

26. (Canceled)

27. (Canceled)

28. (Canceled)

29. (Canceled)